

David S. Kohm & Associates
SBN# 11658563
1414 W. Randol Mill, Ste 118
Arlington, Texas 76012
(817) 861-8400 Phone
(817) 861-8900 Facsimile

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:

MARK ANTHONY DOWNS
AND WANDA JEAN DOWNS

Debtor(s)

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CASE NO.: 04-45661
CHAPTER 13

DEBTORS MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION
DATE : JANUARY 9, 2007

TO THE HONORABLE BANKRUPTCY JUDGE:

Pursuant to 11 USC 1329 the Debtor request the following modification(s) to the Debtors Confirmed Chapter 13 Plan herein:

HISTORY OF CASE

PETITION DATE:	June 8, 2004	TOTAL PAID IN:	\$ 9,425.00
341 DATE:	October 22, 2004	AMOUNT DUE:	\$ 0.00
CONFIRMATION:	July 28, 2005	OLD PLAN BASE:	\$ 18,200.00

MODIFICATION OF DEBTORS PAYMENTS TO TRUSTEE

Change monthly payment amount from \$325.00 per month x 56 months to the following :

\$325.00 x 36 months; to \$430.00 x 24 months .

The above changes will result in a new "BASE AMOUNT" total payments due to the Trustee under the plan, (if all payments are timely made) of \$22,020.00.

AND

Plan payments to the Trustee as listed above will resume on or before February 9, 2007 (within 30 days from this request).

MODIFICATION OF PAYMENTS TO CREDITOR(S)

Change treatment of the following claim:

Name	Collateral	Treatment	No.	Class	Sched Amt	%rate	Value
ADD/INCLUDE:							
COUNTRYWIDE	409 Victory Ln	Pro-Rata	2-1	Secured	\$3,109.26		\$192,900.00

On secured claims if collateral is shown as surrender and if collateral is real property, then automatic stay is terminated as to creditor as of surrender date permit said creditor to conduct a non-judicial foreclosure sale, pursuant to General Order 2006-1, paragraph 4-e.

DEBTORS ATTORNEY FEES

Debtors attorney shall be allowed an additional fee for this Modification in the total amount of \$400.00, of which \$400.00 will be paid through the plan by the Trustee pro rata, after payments specified monthly and before any other pro rata payments.

REASON(S) FOR MODIFICATION

This Modification is requested for the following reason(s):

- _____ (1) Cure plan arrears to the Trustee.
- _____ (2) To provide or modify treatment for Secured, Priority or Unsecured claim not previously provided for.
- _____ (3) To make plan sufficient (based on allowed claim).
- _____ (4) To modify the Unsecured Creditors pool from \$ _____ to \$ _____.
- _____ (5) To modify percentage to Unsecured Creditors in a pre 10/17/2005 case from _____ % to 100%.
- __XXX__ (6) Other: To include post-petition mortgage arrears per an Agreed Order.

All other provisions as set forth in the last confirmed plan remain the same.

DATE: January 9, 2007

BY: /s/ David S. Kohm
David S. Kohm & Associates
David S. Kohm
SBN# 11658563
Eric A. Maskell
SBN# 24041409
1414 W. Randol Mill, Ste 118
Arlington, Texas 76102
(817) 861-8400 Phone
(817) 861-8900 Facsimile

David S. Kohm & Associates
SBN# 11658563
1414 W. Randol Mill, Ste 118
Arlington, Texas 76012
(817) 861-8400 Phone
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CASE NO.: 04-45661

CHAPTER 13

NOTICE OF HEARING
ON "DEBTORS MODIFICATION OF PLAN AFTER CONFIRMATION"

Notice is hereby given that pursuant to 11 USC Section 1329, the attached **Debtor's Modification of Plan After Confirmation** dated January 9, 2007, will be approved by the Court without a hearing, as the Debtors Modified Chapter 13 Plan unless a party in interest files a written "**Objection to Modification**" within five (5) business days prior to the Pre-Hearing Conference notice below, and provided the Modified Plan is recommended by the Standing Chapter 13 Trustee and the Debtor has made any subsequent payments under the Modified Plan.

An "**Objection to Modification**" shall be in writing and filed with Bankruptcy Clerk at the following address:

Clerk of Court
United States bankruptcy Court
10th and Lamar Streets
Fort Worth, Texas 76102

with a copy mailed or electronically serviced on the same day to:

Tim Truman
Chapter 13 Trustee
6851 NE Loop 820 Ste 300
N. Richland Hills, TX 76180

Mark and Wanda Downs
409 Victory Lane
Mansfield, TX 76063

NOTICE OF COURT HEARING AND TRUSTEE'S
PRE-HEARING CONFERENCE

On February 2, 2007, which is at least thirty (30) days from the date of service hereof, a Pre-hearing Conference with the Standing Chapter 13 Trustee, on the attached "Debtors' Modification of Plan after Confirmation" will be at 8:30 am at 6851 NE Loop 820, Suite 220, Fort Worth, Texas 76180

Any Objections to the proposed Modification not resolved at the Trustee's Pre-Hearing Conference will be heard by the Court at 9:00 am o'clock on Wednesday February 7, 2007 at 128 U.S. Courthouse, 10th and Lamar Streets, Fort Worth, Texas.

YOU DO NOT HAVE TO ATTEND THE TRUSTEE'S PRE-HEARING CONFERENCE OR COURT HEARING UNLESS YOU OBJECT TO THE MODIFICATION.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above "Notice of Hearing on Debtors Modification of Plan After Confirmation" and "Notice of Court Hearing and Trustee's Pre-Hearing Conference" thereon with a copy of the Debtors Modification of Plan After Confirmation" attached was served by United States First Class Mail, postage prepaid, or electronically by the Court, upon Debtor, Chapter 13 Trustee, the parties listed on the Debtors' mailing matrix on file with the Court, on the 9th day of January, 2007, those parties making appearance, and upon the office of the United States trustee for the Northern District Of Texas.

By: /s/ David S. Kohm
David S. Kohm
David S. Kohm & Associates

